

AMENDED IN ASSEMBLY AUGUST 31, 2007

AMENDED IN ASSEMBLY JULY 17, 2007

AMENDED IN SENATE APRIL 26, 2007

AMENDED IN SENATE APRIL 9, 2007

SENATE BILL

No. 219

Introduced by Senators Steinberg and Romero

February 9, 2007

An act to add Section 52052.1 to, ~~and to repeal Section 52052.5 of,~~ the Education Code, relating to pupil achievement.

LEGISLATIVE COUNSEL'S DIGEST

SB 219, as amended, Steinberg. Pupil achievement: Academic Performance ~~Index~~. *Index: alternative education.*

~~(1) Existing~~

Existing law requires the Superintendent of Public Instruction, with approval of the State Board of Education, to develop the Academic Performance Index (API) consisting of a variety of indicators currently reported to the State Department of Education to track the achievement of schools and their pupils. Statutory provisions establish a specific calculation for graduation rates to be included within the API and require the Superintendent to provide an annual report to the Legislature on graduation and dropout rates in California. *The Superintendent is required to establish an advisory committee to advise the Superintendent and the state board on all matters relative to the creation of the API and implementation of the Immediate Intervention/Underperforming Schools Program and the High Achieving/Improving Schools Program.*

This bill, *beginning July 1, 2011*, would require ~~the Superintendent to revise that~~ the API to include additional information ~~by a specified~~

~~deadline regarding test scores of pupils who were referred by the school or school district of residence to an alternative education program and school and school district dropout rates. The bill also would require the Superintendent to establish a broadly representative and diverse advisory committee to advise him or her and the state board on issues related to revision of the API and the inclusion of multiple measures and to recommend data and connections that are necessary for establishing indicators of the performance of elementary and secondary schools based on college- and career-related outcomes and the length of time for which any alternative education pupils' data must be assigned to the school and school district of residence. The bill would require the advisory committee to determine certain matters relative to the assignment of the accountability data on pupils in alternative education programs. The requirements imposed by the bill would become operative only if local educational agencies receive a per pupil allocation prior to the 2010–11 fiscal year for implementation of the California Longitudinal Pupil Achievement Data System.~~

~~(2) Existing law requires the Superintendent to establish an advisory committee on all matters relative to the creation of the API and implementation of the Immediate Intervention/Underperforming Schools Program and the High School Achieving/Improving Schools Program. The advisory committee was required to make recommendations to the Superintendent by July 1, 2005, on the appropriateness and feasibility of a methodology for generating a measurement of academic performance by utilizing unique pupil identifiers and annual academic achievement growth to provide a more accurate measure of a school's growth over time. The Superintendent, with approval of the state board, was required to implement that measurement of academic performance if appropriate and feasible.~~

~~This bill would delete those provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) The Legislature finds and declares all of the
- 2 following:
- 3 (1) The high number of children leaving school without
- 4 completing their high school education poses a serious threat to
- 5 children, their families, schools, and communities, and the

1 competitiveness and well-being of the California economy. The
2 potential adverse impacts of the high school dropout crisis include
3 a strain on the social welfare system and a shortage of well
4 educated Californians to fuel the 21st century economy.

5 (2) New research suggests that fewer than 70 percent of 9th
6 graders in California, and fewer than 50 percent of 9th graders in
7 some school districts, graduate from high school. More than
8 150,000 California high school pupils may be leaving high school
9 each year without a diploma.

10 (3) If the dropout crisis is left unchecked, demographic trends
11 suggest that the rate of future dropouts will increase. Latinos are
12 more than twice as likely as whites to leave school before
13 graduation. The Department of Finance estimates that the public
14 school enrollment of Latinos will increase by 18 percent in the
15 next 10 years. The Public Policy Institute of California predicts
16 there will be twice as many high school dropouts in California in
17 2025 as there will be jobs to support them.

18 (4) The high school dropout crisis will have detrimental effects
19 on some of the largest industries in California, including computer
20 technology and software engineering, health care, manufacturing,
21 biotechnology, the building and automotive trades, entertainment,
22 and other sectors that rely on an adequately educated workforce
23 with a minimum of a high school education.

24 (5) Dropouts impose substantial social costs on the state. They
25 are less likely than high school graduates to be employed. The jobs
26 they do find pay substantially lower wages. As a result, dropouts
27 pay lower taxes and are more likely to require public welfare
28 support. Dropouts also have poorer health and are more likely to
29 require public health support.

30 (6) Dropouts are more likely to commit crimes and become
31 incarcerated. More than 80 percent of the prisoners in California
32 in 2005 did not graduate from high school. In 2006, each inmate
33 cost California taxpayers an average of thirty-four thousand one
34 hundred fifty dollars (\$34,150), according to the Department of
35 Corrections and Rehabilitation.

36 (7) Families and communities play an important role in keeping
37 children on track toward high school graduation. However, schools
38 are responsible for creating programs that engage children of
39 different backgrounds, interests, and skill levels, and for keeping

1 a close watch on truancy, course failure, and behavior problems
2 that are the markers of a pupil at risk for dropping out of school.

3 (b) It is the intent of the Legislature in enacting this act to reflect
4 the public's fundamental expectation that public schools engage
5 pupils, keep them on track for graduation, and prepare them for
6 success after high school in college or immediate entry into a
7 career.

8 SEC. 2. Section 52052.1 is added to the Education Code, to
9 read:

10 52052.1. (a) Beginning July 1, ~~2008~~ 2011, in addition to the
11 test scores specified in subparagraph (B) of paragraph (4) of
12 subdivision (a) of Section 52052, the Academic Performance Index
13 (API) for ~~any~~ a school or school district shall do all of the
14 following:

15 (1) Include the test scores *and other accountability data* of
16 enrolled pupils who were referred *by the school or school district*
17 *of residence* to an alternative education program, including
18 community, community day, and continuation high schools and
19 independent study, and be calculated by assigning all accountability
20 data on pupils in alternative education programs, including
21 community, community day, and continuation high schools and
22 independent study, to the school and school district ~~or~~ *of residence*
23 to ensure that placement decisions are in the best interests of
24 affected pupils. *If a pupil is referred to an alternative education*
25 *program by a juvenile court judge or other correctional or judicial*
26 *official, the test scores of that pupil shall remain with the*
27 *alternative education program and with the school district or*
28 *county office of education serving that pupil. This section does not*
29 *prohibit the alternative education program from counting the test*
30 *scores of those pupils served in their alternative education*
31 *program. It is the intent of the Legislature that these alternative*
32 *education programs remain accountable to the pupils they serve.*

33 (2) Exclude the test scores or other data of those pupils exempt
34 pursuant to federal statute or federal regulation.

35 (3) Include school and school district dropout rates for pupils
36 who drop out of school while enrolled in grade 8 or 9. If reliable
37 data is not available by July 1, ~~2008~~ 2011, the Superintendent, on
38 or before that date, shall report to the Legislature the reasons for
39 the delay and date he or she anticipates the specified dropout rates
40 will be included in the API.

1 (b) The advisory committee established pursuant to Section
2 52052.5 shall determine all of the following:

3 (1) The length of time for which the accountability data on pupils
4 in alternative education programs shall be assigned to the school
5 and school district of residence pursuant to paragraph (1) of
6 subdivision (a).

7 (2) Whether it is appropriate to assign accountability data to
8 the school or the school district, pursuant to paragraph (1) of
9 subdivision (a), if the pupil never attended the school of residence
10 or has been absent for more than one year from the school district
11 of residence due to placement in another school or school district
12 or out of state.

13 (c) This section shall become operative only if local educational
14 agencies receive a per pupil allocation prior to the 2010–11 fiscal
15 year for implementation of the California Longitudinal Pupil
16 Achievement Data System established pursuant to Section 60900.

17 ~~(b) The Superintendent shall establish a broadly representative
18 and diverse advisory committee to advise him or her and the state
19 board on issues related to revision and maintenance of the API
20 and the inclusion of multiple measures:~~

21 ~~(1) The advisory committee also shall make recommendations
22 on all of the following:~~

23 ~~(A) Data and connections between the data systems of
24 elementary and secondary schools, institutions of postsecondary
25 education, and employers that are necessary for establishing more
26 robust and reliable indicators of the performance of elementary
27 and secondary schools based on college- and career-related
28 outcomes.~~

29 ~~(B) The length of time for which any alternative education
30 pupils' accountability data shall be assigned to the school and
31 school district of residence pursuant to paragraph (1) of subdivision
32 (a):~~

33 ~~(2) The advisory committee shall include no more than 20
34 members, with at least one representative from each of the
35 following:~~

36 ~~(A) Parents of an elementary or secondary school pupil.~~

37 ~~(B) Elementary or secondary school teachers.~~

38 ~~(C) Elementary or secondary school administrators.~~

39 ~~(D) Members of the governing board of a school district.~~

40 ~~(E) Alternative school educators.~~

- 1 ~~(F) Business.~~
- 2 ~~(G) Labor.~~
- 3 ~~(H) State agencies or departments related to the groups described~~
- 4 ~~in subparagraphs (A) to (G), inclusive.~~
- 5 ~~(3) To the extent possible, the Superintendent shall appoint~~
- 6 ~~members of the advisory committee set forth in Section 52052.5,~~
- 7 ~~as it read on December 31, 2007.~~
- 8 ~~(4) Members of the advisory committee shall serve without~~
- 9 ~~compensation for terms not to exceed two years.~~
- 10 ~~(5) The State Department of Education shall provide staff to~~
- 11 ~~the advisory committee.~~
- 12 ~~SEC. 3. Section 52052.5 of the Education Code is repealed.~~